## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

KAZI MANAGEMENT

Civil Action No. 4:20-cv-00924

SAINT CROIX, LLC and ZUBAIR

KAZI,

Plaintiffs

v.

JURY TRIAL DEMANDED

SANTIAGO GARCIA GUTIERREZ, UNIVERSAL INVESTMENTS & TRADING, LLC, and UNITED FUEL SUPPLY SA, LLC, and JOHN DOE, Defendants

## AFFIDAVIT OF DAMAGES IN SUPPORT OF DEFAULT JUDGMENT

I, Forest Dean Morgan, Esquire, declare under penalty of perjury the following facts are true and correct to the best of my information and belief:

- 1. I am the Attorney for the Plaintiffs in this action.
- 2. A Complaint was filed herein on March 13, 2020.
- 3. A Default was entered on September 8, 2020.
- 4. The claim of the plaintiff is for the principal sum of \$2,739,789.27, plus interest from the ate of judgment as provided by law, together with the costs of this action.
- 5. Said claim is the result of the actions as set forth in the complaint with specific amounts being fraudulent wire transfers set forth in The Complaint as follows:

a.	May 11, 2018	\$ 8,000.00
b.	June 25, 2018	\$225,000.00
c.	July 2, 2018	\$375,000.00
d.	July 17, 2018	\$270,000.00
e.	August 16, 2018	\$500,000.00

f.	August 20, 2018	\$105,000.00
g.	August 31, 2018	\$ 47,789.27
h.	September 7, 2018	\$400,000.00
i.	January 28, 2019	\$450,000.00
j.	March 13, 2019	\$125,000.00
k.	April 10, 2019	\$150,000.00
1.	May 28, 2019	\$ 84,000.00

- 6. My research has indicated that prejudgment interest in Texas accrues at the same rate as post-judgment interest. *International Turbine v. VASP Brazilian Airlines*, 278 F.3<sup>rd</sup> 494 (5<sup>th</sup> Cir. 2002).
- 7. The current judgment rate is 5.0% per annum as published by the Texas Office of Consumer Credit Commissioner, August 18, 2020, Sec. 304.003, Tex. Fin. Code.
- Calculating a daily rate of \$375.31 per day multiplied by 187 days between the date of Complaint, March 13, 2020 and September 16, 2020, the amount of prejudgment interest is \$70,183.64.

Forest Dean Morgan, Esquire
PA Bar # 203088
The Morgan Law Firm
PO Box 767
Hershey, PA 17033-0767

Tel: 717-220-4300

dean@fdeanmorgan.com

Sworn to and subscribed before me this 16 day of September, 2020.

Notary Public

My Commission Expires:

Commonwealth of Pennsylvania - Notary Seal ANN G MUDGETT - Notary Public Dauphin County My Commission Expires Sep 23, 2021

Commission Number 1117027